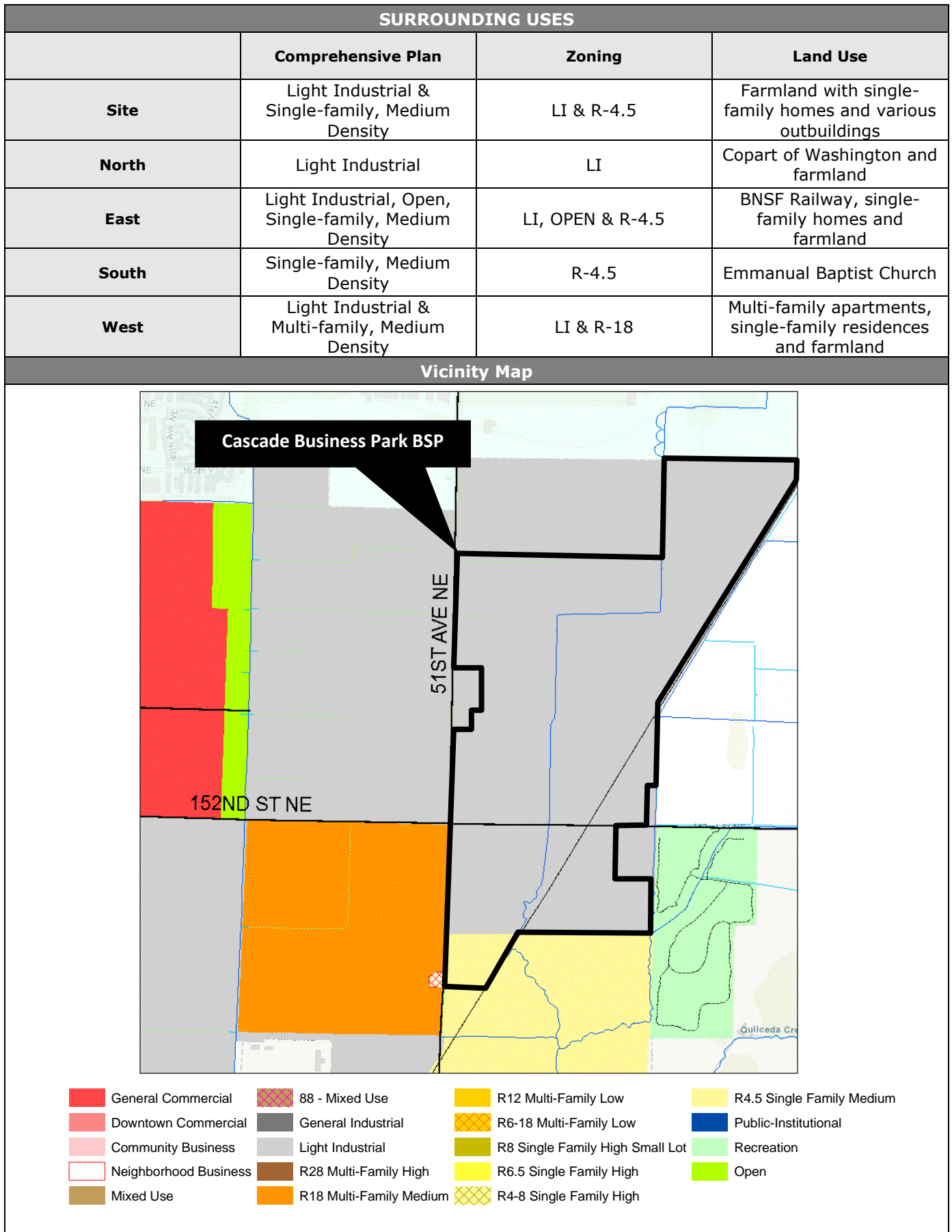


BINDING SITE PLAN APPROVAL - Cascade Business Park

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION									
Project Title	Cascade Business Park BSP			Date of Report	May 12, 2021				
File Number	PA 21006			Attachments	Preliminary BSP (Exhibit 41) SEPA MDNS (Exhibit 32)				
Staff Recommendation	Approve the preliminary Binding Site Plan, subdividing approximately 311-acres into eleven (11) lots, and construction of seven (7) new industrial buildings, totaling approximately 2,915,303 SF, subject to the condition outlined in Section 2.0.								
BACKGROUND SUMMARY									
Applicant	NP Arlington MIC Industrial, LLC								
Request	Binding Site Plan, subdividing approximately 311-acres into eleven (11) lots, and construction of seven (7) new industrial buildings, totaling approximately 2,915,303 SF. The applicant is also proposing to fill a number of regulated wetlands and relocate Edgecomb Creek along the west boundary of the existing BNSF Railway within Tract 998.								
SEPA Status	A Mitigated Determination of Non-Significance (MDNS) was issued April 8, 2021, which included twenty-one (21) mitigation measures (see attached). The appeal period expired on April 22, 2021. No appeals were filed.								
General Location	North of 146 th Street NE, east of 51 st Avenue NE, south of 16600 Block and west of BNSF Railway.			APNs	See Section 1.0, No. 2 of this BSP Approval				
Acreage (SF)	311-acres (13,547,160 SF)			Section	27 34	Township	31N	Range	05E
Comprehensive Plan	LI	Zoning	LI	Shoreline Environment			N/A		
Water Supply	Current None	Proposed Marysville	Sewer Supply	Current None			Proposed Marysville		
Present Use of Property	Farmland, single-family homes and various outbuildings and structures associated with farming operations.								
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts		State & Federal		County		Other		
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Land Development <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input checked="" type="checkbox"/> Arlington (city) <input checked="" type="checkbox"/> Arlington Airport <input checked="" type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lakewood SD 306 <input checked="" type="checkbox"/> PUD No. 1 (electric)		<input checked="" type="checkbox"/> US Army Corps of Engineers <input checked="" type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DOE <input checked="" type="checkbox"/> WDFW <input checked="" type="checkbox"/> WSDOT <input checked="" type="checkbox"/> WUTC		<input checked="" type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>		<input checked="" type="checkbox"/> Olympic Pipeline <input checked="" type="checkbox"/> Puget Sound Energy <input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe		
ACTION									
<input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> City Council		<input type="checkbox"/> Quasi-Judicial		<input type="checkbox"/> Planning Commission				
Date of Action	May 12, 2021		<input checked="" type="checkbox"/> Approved		<input type="checkbox"/> Denied		<input type="checkbox"/> Continued		
STAFF CONTACT									
Name Chris Holland	Title Planning Manager		Phone 360.363.8207		E-mail cholland@marysvillewa.gov				



1.0 FINDINGS AND CONCLUSIONS

1. **Project Description:** NP Arlington MIC Industrial, LLC (applicant), has requested preliminary Binding Site Plan (BSP) approval, subdividing approximately 311-acres into eleven (11) lots, and construction of seven (7) new industrial buildings, totaling approximately 2,915,303 SF. The applicant is also proposing to fill a number of regulated wetlands and relocate Edgecomb Creek along the west boundary of the existing BNSF Railway within Tract 998. Individual industrial site plan review will be required for each new building proposed within the Cascade Business Park, excluding Building 1, known as Cascade Commerce Center, which obtained preliminary industrial site plan approval on March 26, 2021, under File No. PA20-047.

It is anticipated that approximately 500,000 cubic yards (cy) of cut and 4,000,000 cy of fill will be required in order to accommodate the proposed stormwater runoff from proposed buildings, roads and parking lots. Stormwater is proposed to be collected and routed through pipe networks, detained for stormwater flow control and then routed through Washington State Department of Ecology approved water quality treatment systems. Discharge from the stormwater facilities would then be routed through dispersal trenches located within approximately 100-feet of the relocated Edgecomb Creek and the perimeter of the creek buffer.

In accordance with RCW 36.70B.170 through 36.70B.210, a Development Agreement (DA), between the applicant and the City of Marysville, was approved by the Marysville City Council on May 10, 2021. The DA will vest the development to the current land use standards, and will modify several of the design guidelines outlined in the Smokey Point Master Plan, as it pertains to the future development of the parcels within the Binding Site Plan.

2. **Location:** The Cascade Business Park (CBP) is generally located north of 146th Street NE, east of 51st Avenue NE, south of 16600 Block and west of BNSF Railway, on Assessor's Parcel Numbers (APNs) 31052700100300, 31052700400300, 31052700300200, 31052700300500, 31052700300900, 31052700300800, 31052700300700, 31053400200600, 31053400200500, 31053400200400, 31053400300300, 31053400200100, 31053400200700, 31053400300300, 31053400200800, 31053400201300 & 31053400200900.
3. **Site Description:** CBP is comprised mainly of farmland with single-family homes and various outbuildings and structures associated with farming operations. Topography of the site is generally flat.
4. **Letter of Completeness:** The application was determined to be complete on January 29, 2021, and a letter of completeness was provided to the applicant in accordance with MMC 22G.010.050.
5. **Public Notice:** Public notice of the NON-PROJECT Action BSP was provided in accordance with MMC 22G.010.090. No public comments have been received as of the date of this preliminary BSP Approval.
6. **Request for Review:** A *Request for Review* of the proposed development was sent to the following Local, County, State & Federal Agencies and Districts:
 - a. *City of Arlington:* No comments received
 - b. *Arlington Airport:* An e-mail was received from Marty Wray, Arlington Airport Operations Manager, on February 17, 2021, requesting the applicant submit an FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, a minimum of 45-days prior to proposed construction.

Additionally, the applicant was requested to record an "Arlington Airport Protection District Disclosure Statement" with the Snohomish County Auditor.

The MDNS issued for this proposal conditioned the applicant to provide the FAA Form and record the Protection District Disclosure Statement with the Snohomish County Auditor.

- c. *Community Transit*: An e-mail was received from Scott Ritterbush, Planning Project Manager, on March 29, 2021. Community Transit (CT) is requesting coordination for bus stops on northbound 51st Avenue NE, on the far side of both 152nd Street NE and 146th Street NE.

The MDNS issued for this proposal conditioned the applicant to coordinate with CT and provide the bus stops, as requested.

- d. *Snohomish County PUD No. 1*: A letter was received from Gordon Hayslip, Senior Manager Transmission & Distribution System Operations & Engineering, dated February 17, 2021. According to PUD, the District is unable to determine if enough electric system capacity is available until additional load information for the proposed development is identified. The existing facilities in the local area may require upgrading at the developer's expense.

The developer shall be required to supply the District with suitable locations/easements on all parcels where electrical facilities must be installed to serve the proposed development.

- e. *Ziply*: No comments received.
- f. *US Army Corps of Engineers*: No comments received.
- g. *Burlington Northern Santa Fe*: No comments received.
- h. *Washington State Department of Archeology & Historic Preservation*: An e-mail was received from Stephanie Jolivette, Local Government Archaeologist, on February 12, 2021. DAHP stated a cultural resources survey for this project is currently ongoing. The MDNS issued for this proposal requires the applicant to submit a cultural resources survey to DAHP for review, and follow any recommendation issued by DAHP, or affected Tribes.
- i. *Washington State Department of Ecology*: An e-mail was received from Neil Molstad, Wetland Specialist – NWRO, on March 17, 2021, which included a letter concurring with the boundaries of the wetlands and Waters of the State within the proposed development.

A letter was received from Katelynn Piazza, SEPA Coordinator, dated April 22, 2021, which states under RCW 90.03.350, a Dam Safety Construction Permit is required for those dams or ponds, which can impound a volume of 10 acre-feet or more of water or other liquids, above ground level.

Applicants Response: We confirm that RCW 90.03.350 requires a Dam Safety construction permit for dams or ponds that exceed a volume of 10 acre-feet or more of impounded water. We will coordinate with Joe Witczak at the Washington Department of Ecology Dam Safety Office in the event that any pond does exceed the above noted volume. The ponds will ultimately be designed on a per lot/building basis as the project progresses. We are currently analyzing the overall park stormwater design concept and pond designs to reduce the volumes impounded to below the 10 acre-feet threshold.

- j. *Washington State Department of Fish and Wildlife*: No comments received.
- k. *Washington State Department of Transportation (WSDOT)*: An e-mail was received from Dawn Anderson, Development Services Engineer, on March 30, 2021 requesting dedication of right-of-way (ROW) along SR531 (172nd Street NE).

Cascade Business Park has no frontage on SR531. The request for dedication is for a separate project proposed by the applicant within the City of Arlington. The City of Marysville forwarded this request onto the City of Arlington to ensure they condition the development within the City of Arlington to dedicate ROW as requested by WSDOT.

- l. *Washington Utility and Transportation Commission*: A letter was received from Kathy Hunter, Director of Transportation Safety, dated February 19, 2021. The letter provide guidance for construction of a new public crossing or any changes to an existing public crossing of a rail line.
- m. *Snohomish County Health District*: No comments received.
- n. *Snohomish County Planning*: No comments received.
- o. *Snohomish County Public Works – Land Development*: An e-mail was received from Elbert H. Esparza Jr., dated Monday, February 1, 2021, requesting the applicant complete a traffic offer form for mitigation on Snohomish County Roads. The MDNS issued for this proposal requires the applicant make payment to Snohomish County for traffic mitigation prior to issuing building permits.
- p. *Snohomish County Public Works*: No comments received.
- q. *Olympic Pipeline*: No comments received.
- r. *Puget Sound Energy*: No comments received.
- s. *Stillaguamish Tribe*: An e-mail was received from Kerry Lyste on February 22, 2021 stating that the Stillaguamish Tribe has participated in, and reviewed the survey/technical memo/report and concurs with the methodology and findings, and would request notification of ground disturbance for tribal monitoring.
- t. *Tulalip Tribes*: An e-mail was received from Kurt Nelson, Tulalip Tribes, on March 1, 2021 stating that the Tribes has concerns with stormwater treatment and maintaining groundwater levels as much as possible.

A subsequent e-mail from Kurt Nelson, was received on April 2, 202, with the following comments:

- Cascade Industrial Center – Macro Analysis Drainage Report

Page 1-2.

There should be a figure that shows the 36 wetlands referenced on this page, in addition to the figure that shows City of Marysville data.

Applicants Response: Please refer to Appendix B for Soundview Consultants 3/12/2021 existing conditions map. The drainage report is being revised to include the above noted map for the BSP TR2 re-submittal to the city. A copy of this map has also been included with this letter.

Page 1-4.

Discussion of French drain system is unclear, is this feature shown on the figures? What ponds is this section referring to?

Applicants Response: French Drain system is proposed along portions of the northern/western property lines to collect and promote infiltration of pond embankment runoff from Pond networks 1 (in Marysville), 4 and 5 (in Arlington), adjacent to Buildings 2, 6 and 7, that cannot be conveyed to the on-site detention systems.

Section 4.2

This section discusses enhanced stormwater treatment downstream of detention ponds. I did not see these facilities shown in the figures. What are they and where are they located? Does the capacity of these downstream

treatments take into account climate change and possible increased 2 year events?

Applicants Response: Refer to EX-01 in Appendix C on Page 64 for typical pond outfall which includes the location of the Modular wetland and bypass line.

Figure 4.

This figure shows culvert under BNSF, in the middle of project and at 152nd.

Are areas east of the railroad tracks contributing drainage to project area?

Applicants Response: Areas east of the BNSF do not impact the onsite drainage design.

How are the ponds and the restoration site on the neighboring parcel in the NW portion of the site contributing to the site drainage and if so how is it connected to the planned facilities? It currently should flow into Edgecomb Cr.

Applicants Response: Refer to Section 3.3 under Upstream Flow Path 4 for detail. The upstream pond discharge will be rerouted south through the site and discharge into the relocated Edgecomb Creek.

Figure 6.

B8S, B9S and B9N where do the ponds discharge?

Applicants Response: B8S and B9N discharge to Edgecomb Creek. B9S discharges to the ditch along 51st Ave NE and ultimately conveys to Edgecomb Creek.

Pond Network 2 and 6, where do these networks discharge?

Applicants Response: Pond Networks 2 and 6 discharge to Edgecomb Creek.

How are existing off site drainage features connected?

Applicants Response: Existing offsite ditches will be channelized along project frontage and will route to Edgecomb Creek.

There are ponds and a channel to the west of the project boundary between Pond network 5 and 6, how are they linked?

Applicants Response: Refer to Section 3.3 under Upstream Flow Path 4 for detail. The upstream pond discharge will be rerouted south through the site and discharge into the relocated Edgecomb Creek.

7. **Access:** A road network system is proposed within the Cascade Business Park to provide motor vehicle and pedestrian access. This includes roadway, curb, gutter and sidewalk improvements to 51st Avenue NE, 59th Avenue NE, 152nd Street NE, 160th Street NE and a private road along the east boundary of Lots 4 & 5. A trail system is also proposed along the west boundary of the realigned Edgecomb Creek and associated buffers.
8. **Traffic Concurrency:** The applicant submitted a Traffic Impact Analysis (TIA), prepared by Gibson Traffic Consultants, Inc., dated December 2020, as well as a Phasing Analysis, dated March 19, 2021 and a Phasing Analysis Response, dated April 7, 2021. According to the TIA, the proposed development would generate 15,267 average daily trips (ADT), 1,304 AM peak hour trips (AMPHT) and 2,080 PM peak hour trips (PMHPT). Based on a review of existing conditions and the TIA, as well as other applicable supplemental information submitted with the application and on file with the City, the City Engineer made a traffic concurrency recommendation, which includes the following conditions to mitigate traffic impacts:

- a. The applicant shall be required to dedicate public right-of-way in order to accommodate the required frontage improvements along 51st Avenue NE, 59th Avenue NE, 152nd Street NE and 160th Street NE, in accordance with MMC 12.02A.110(1)(c), *Dedication of Road right-of-way – Required setbacks*. Right-of-way widths and required dedication shall be determined by the City Engineer. The dedication shall be required prior to granting occupancy permits.
- b. The applicant shall be required to construct frontage improvements along 51st Avenue NE, 59th Avenue NE, 152nd Street NE and 160th Street NE, prior to issuing occupancy permits. Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed and approved by the City Engineer prior to construction plan approval.
- c. The applicant shall be required to construct a traffic signal at the intersection of 152nd Street NE and 59th Avenue NE at the time frontage improvements are constructed for the full five-lane improvement; or the development generates 1,768 PM peak hour trips. Signalization shall account for the ultimate intersection design so that signal poles will not be required to be relocated in the future. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval.
- d. The applicant shall be required to construct a traffic signal at the intersection of 160th Street NE and 51st Avenue NE. The signal shall be constructed:
 - At the time frontage improvements are constructed for the full four-legged intersection; or
 - Development occurs by others upon the west side of 51st Avenue NE, constructing the 4th leg of the intersection, but does not generate enough trips to require signalization, the applicant shall construct the signal with the next phase of the development; or
 - 160th Street NE and 51st Avenue NE (east of 51st Avenue NE) are constructed with 51st Avenue NE including a southbound left turn lane and the development generates 1,325 PM peak hour trips.

Signalization shall account for the ultimate intersection design so that signal poles will not be required to be relocated in the future. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval.

- e. The applicant shall be required to construct a traffic signal at the intersection of 152nd Street NE and 51st Avenue NE when any additional trips are generated by the development, as the intersection with background-only traffic in 2023, will not meet LOS standards without signalization. Signalization shall account for the ultimate intersection design so that signal poles will not be required to be relocated in the future. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval. This condition may be revisited by the City pending further review of alternative mitigation measures proposed by the applicant that adequately address LOS and concurrency impacts for this intersection.
- f. The applicant shall be required to construct a traffic signal at the intersection of 132nd Street NE and 51st Avenue NE, when the development generates 1,248 PM peak hour trips. Signalization shall account for the full ultimate intersection construction for all three approaches including curb, gutter, sidewalk, stormwater management, landscaping, bike lanes and street lighting. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval.
- g. All roadways at existing and proposed Burlington Northern spur line at-grade crossings shall be designed and constructed to be quiet-zone compliant.
- h. The applicant shall be required to construct a future bus shelter pad along northbound 51st Avenue NE on the far side of both 146th Street NE and 152nd Street

NE. The bus shelter pad shall be designed and located per the specifications provided by Community Transit.

- i. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of \$2,220 per PM Peak Hour Trip (PMPHT).

Pursuant to MMC Chapter 22D.010, traffic impact fee credits are allowed for the construction of frontage improvements on 51st Avenue NE and 152nd Street NE, and the signalization of the intersections of 160th Street NE at 51st Avenue NE, 152nd Street NE at 51st Avenue NE, and 152nd Street NE at 59th Avenue NE. The amount of credit for these improvements shall be reviewed and approved by the City Engineer.

- j. Pursuant to the Interlocal Agreement with Snohomish County, the applicant is obligated to pay traffic mitigation fees based on 20% of the Average Daily Trips (ADT) generated from the proposed project multiplied by the County mitigation fee of \$39.00 per new ADT. Prior to issuing building permits, the applicant will be required to submit a signed traffic mitigation offer and payment to Snohomish County, in the amount of \$119,082.60 (15,267 ADT x 20% x \$39.00).

The recommended concurrency measures are included as Mitigation Measures 12 – 21 of the MDNS that was issued for Cascade Business Park.

9. **Critical Areas:** The applicant submitted a *Wetland and Fish and Wildlife Habitat Assessment Report*, dated August 2020 and revised December 2020, and *Conceptual Mitigation Plan*, dated December 2020, each prepared by Soundview Consultants. Cascade Business Park requires unavoidable direct impacts to 3.36 acres of jurisdictional wetlands, 10,165 linear feet of Edgecomb Creek, and 1,167 linear feet of "Ditch X."

In order to mitigate these direct impacts, the applicant proposes realignment of Edgecomb Creek within a restored riparian corridor on the eastern portion of the project area. The riparian corridor is proposed to be 215 feet wide in the City of Arlington and up to 315 feet wide in the City of Marysville. A pedestrian trail is proposed to be constructed to provide public access through the riparian corridor from 152nd Street NE to SR 531 (172nd Street NE).

Edgecomb Creek is proposed to be realigned through a restored stream channel that meanders through the riparian corridor; additional side channels will be created and connected to the mainstem stream channel to provide off-channel habitat and flood refugia for fish. Suitable streambed substrates are proposed to be added within the new channels, and stream functions will be further enhanced by small and large woody debris placement within channels and in the flood terrace. Riparian functions will be restored by diverse native plantings to create forested, scrub-shrub, and emergent habitats. The re-aligned main-stem stream channel and created side-channel habitat will provide mitigation at a minimum of 1:1 for the fill of the existing Edgecomb Creek stream channel. Ditch X will also be re-aligned, lengthened, and reconnected to the re-aligned Edgecomb Creek.

Compensatory wetland re-establishment and creation is proposed within the riparian corridor, meeting local, state, and federal mitigation ratios for direct wetland impacts. A minimum of 5.84 acres of wetland re-establishment/creation is required to compensate for the 3.36 acres of necessary wetland fill, although the conceptual mitigation design estimates that the mitigation corridor will achieve approximately 18 acres of wetland creation and three acres of wetland enhancement. Any excess wetland mitigation credits are proposed for use by the applicant as advanced mitigation for any future wetland impact proposal(s).

As a non-compensatory mitigation measure, the applicant proposes to replace two partial fish barrier culverts underneath the BNSF railroad with box culverts designed to allow fish access and convey Edgecomb Creek beneath the railroad. A box culvert will also be added beneath 152nd Street NE to convey the re-aligned stream channel.

Prior to issuing any ground disturbing activity permits, the applicant is required to obtain all necessary permits from Federal, Tribal and State agencies for the proposed creek relocation, permanent wetland fill, wetland creation and regulated buffer impacts.

10. **Utilities:** Utilities are proposed to be provided to the site as follows:

Storm Drainage – Stormwater runoff from buildings’ roofs, pavement, and sidewalks are proposed to be routed to newly constructed detention ponds. Flow control will be achieved by routing collected flows through a network of catch basins and closed pipes to one of 17 detention ponds located throughout the project site.

Water – The applicant shall be required to replace the existing 12” cast iron water main along 51st Avenue NE with ductile iron. Additionally, the applicant shall be required to install new water mains within, and loop throughout the site, in order to serve the development and provide adequate fire flow.

Sewer – The applicant is proposing to tap into the existing 21” concrete sewer main within 51st Avenue NE in order to serve the development. The applicant shall also be required to install new sewer mains with development of the new roadway improvements to serve the development.

Utility improvements will be addressed during civil construction plan review for each lot within Cascade Business Park.

11. **State Environmental Policy Act Review:** After evaluation of the applicant’s environmental checklist submitted with the application, and other supporting documentation and application materials, a State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS), which included twenty-one (21) mitigation measures, was issued on April 8, 2021. The appeal period for the MDNS expired on April 22, 2021. No appeals were filed.

12. **Application Review:** MMC 22G.100.100(3) requires the City to determine whether or not the BSP complies with the following criteria:

- a. Whether the proposed BSP and development of the parcel(s) relate to all elements of the Marysville Comprehensive Plan.

Staff Comment: The Comprehensive Plan designation for the majority of the subject property is Light Industrial (LI) with exception to Assessor’s Parcel Number 31053400300300, which is designated as Single-family, Medium-density (R-4.5). Industrial uses are not permitted in the R-4.5 zone. In order to develop this parcel with industrial uses a Comprehensive Plan Map amendment and concurrent rezone would be required to be reviewed by the Hearing Examiner and approved by Marysville City Council.

The current proposal is a Binding Site Plan, subdividing approximately 311-acres into 11 lots, and construction of 7 new industrial buildings, totaling approximately 2,915,303 SF. No development activity is proposed at this time. Individual industrial site plan review will be required for each new building proposed within Cascade Business Park, excluding Building 1, known as Cascade Commerce Center, which obtained preliminary industrial site plan approval on March 26, 2021, under File No. PA20-047.

The following development policies outlined in the Comprehensive Plan that are specifically pertinent to this request, and were used to establish appropriate conditions, are as follows:

LAND USE ELEMENT

General Development Land Use Goals & Policies

Policies: LU-3, LU-4, LU-5, LU-6, LU-7, LU-8, LU-9, LU-10, LU-11, LU-13

Commercial Land Use Goals & Policies

Policies: LU-62, LU-66, LU-68, LU-69, LU-70, LU-71, LU-73, LU-80

Industrial

Policies: LU-164, LU-165, LU-168, LU-169, LU-170, LU-172, LU-173, LU-174, LU-175

ENVIRONMENTAL ELEMENT

General Environmental Goals and Policies

Policies: EN-1, EN-2, EN-6

Environmentally Sensitive Lands: General Goals and Policies

Policies: EN-9, EN-10, EN-12, EN-13

Earth Goals and Policies

Policies: EN-16, EN-17, EN-18, EN-19, EN-21

Water: Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals and Policies

Policies: EN-25, EN-28, EN-29, EN-31, EN-32, EN-38, EN-39

Wildlife Goals and Policies

Policies: EN-40, EN-41, EN-42, EN-43, EN-44, EN-45

Cultural Resources Goals and Policies

Policies: EN-48

Climate Change Goals and Policies

Policies: EN-54

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-7, T-8, T-9, T-10

Public Involvement and Agency Coordination

Policies: T-13

Land Use and Economic Development

Policies: T18, T-19

Mobility Options

Policies: T-25, T-26, T-27, T-29, T-30, T-31

Financing and Implementation

Policies: T-48

UTILITIES ELEMENT

Policies: UT-1

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-9

Water, Sewer, Storm Drainage, Solid Waste

Policies: PF-1, PF-18, PF-19, PF-20, PF-21, PF-23, PF-24, PF-26, PF-28

- b. Whether the proposed BSP meets the zoning regulations.

Staff Comment: The majority of the properties within Cascade Business Park are zoned LI. The purpose of the LI zone is to provide for the location and grouping of

non-nuisance-generating industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and limited retail uses. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities.

Assessor's Parcel Number 31053400300300 is zoned Single-family, Medium-density (R-4.5). The R-4.5 zone allows single-family residences at a density of 4.5 dwelling units per acre. Duplexes are permitted as a conditional use with a maximum density of six dwelling units per acre. The major type of new development will be detached single-family residences. Industrial uses are not permitted in the R-4.5 zone. In order to develop this parcel with industrial uses a Comprehensive Plan Map amendment and concurrent rezone would be required to be reviewed by the Hearing Examiner and approved by Marysville City Council.

The applicant anticipates applying for a rezone to allow industrial uses. The applicant acknowledges that inclusion of this parcel in the Binding Site Plan does not constitute any guarantee of future legislative or quasi-judicial action on the part of the City to approve a rezone or other zoning allowance.

No development activity is proposed at this time. Individual industrial site plan review will be required for each new building proposed within Cascade Business Park, excluding Building 1, known as Cascade Commerce Center, which obtained preliminary industrial site plan approval on March 26, 2021, under File No. PA20-047. Compliance with all applicable regulations outlined in MMC Title 22C *Unified Development Code*, will be required to be demonstrated with development of each new building.

- c. Whether the binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site.

Staff Comment: No development activity is proposed at this time. Future development of the site shall be required to comply with all of the applicable design and development regulations related to topography, drainage, vegetation, soils and any other relevant physical elements of the site.

- d. Public Services:

- i. Adequate water supply

Staff Comment: No development activity is proposed at this time. Future PROJECT action development shall require compliance with all applicable Marysville Municipal Codes (MMC) related to extending public water service to the site.

- ii. Adequate sewage disposal

Staff Comment: No development activity is proposed at this time. Future PROJECT action development shall require compliance with all applicable Marysville Municipal Codes (MMC) related to extending public sewer service to the site.

- iii. Appropriate storm drainage improvements

Staff Comment: No development activity is proposed at this time. Future PROJECT action development shall require storm drainage improvements to be designed in accordance with the Stormwater Management Manual for Western Washington (SMMWW) and applicable provisions of the MMC.

- iv. Adequate fire hydrants

Staff Comment: No development activity is proposed at this time. Future PROJECT action development shall require fire hydrants to be installed in accordance with the applicable MMC.

- v. Appropriate access to all anticipated uses within the site
Staff Comment: No development activity is proposed at this time. Future PROJECT action development shall require access to comply with the applicable MMC.
- vi. Provisions for all appropriate deeds, dedications, and/or easements
Staff Comment: Final deeds, dedication, and/or easements shall be required in accordance with the applicable provisions in the MMC and reviewed and approved prior to recording the FINAL BSP.
- vii. Examination of the existing streets and utilities and how the proposed BSP relates to them.
Staff Comment: A SEPA MDNS, which included twenty-one (21) mitigation measures, was issued on April 8, 2021. The mitigation measures adequately address impacts to the existing streets and utilities for future development of Cascade Business Park.
- e. Examination of the project through the SEPA process and a determination of whether the proposed binding site plan complies with the SEPA requirements.
Staff Comment: A SEPA MDNS, which included twenty-one (21) mitigation measures, was issued on April 8, 2021.
- f. Binding site plans shall comply with the critical areas land division requirements of MMC 22E.010.350.
Staff Comment: The proposed BSP complies with the provision outlined in MMC 22E.010.350 is not applicable. MDNS Condition No. 4 requires the applicant to obtain all necessary permits from Federal, Tribal and State agencies for the proposed creek relocation, permanent wetland fill, wetland creation and regulated buffer impacts, prior to issuing any ground disturbing activity permits.
- 13. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed BSP is beneficial to the public health, safety and welfare and is in the public interest.
- 14. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed BSP does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan.
- 15. Pursuant to MMC 22G.010.200, a decision on the application shall be made within 120 days from the date of the letter of completeness. A decision on this application was made forty-seven (47) calendar days from the date of completeness.

2.0 RECOMMENDATION

Based on the foregoing findings and conclusions, review of the existing environmental documents, and the City's regulatory authority to implement the policies, standards, and regulations of the Marysville Comprehensive Plan and MMC, the Community Development Department hereby grants **Preliminary BSP Approval** for Cascade Business Park subject to the following conditions:

1. The preliminary BSP received by the Community Development Department on April 26, 2021 (Exhibit 41) shall be the approved preliminary BSP layout (attached).
2. Prior to recording the FINAL BSP for any phase of the Cascade Business Park, the applicant shall be required to comply with MMC Chapter 22G.100, *Binding Site Plan* – Article III. *Final Review Process*.

3. Industrial site plan review for all phases of the Cascade Business Park shall be required to be reviewed in accordance with MMC Chapter 22G.120 *Site Plan Review*.
4. All phases of the Cascade Business Park shall be required to comply with the twenty-one (21) mitigation measures outlined in the State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance (MDNS) issued on April 8, 2021 (Exhibit 32).
5. All phases of the Cascade Business Park are subject to the provisions of the Developer Agreement, approved by Marysville City Council on May 10, 2021.

Prepared by: *Chris*

Reviewed by: *Angela*

This **Administrative NON-PROJECT ACTION Preliminary BSP APPROVAL** is issued under MMC 22G.010.160. Administrative decisions may be appealed to the Hearing Examiner in accordance with MMC 22G.010, Article VIII. Appeals. Appeals must be filed within fourteen (14) calendar days of the date of administrative approval.

Date: May 12, 2021 **Signature:** 
Haylie Miller, CD Director

The above recommendation, including conditions of preliminary approval, are subject to change if the proposed phasing parameters, land uses or any other information provided by the applicant or their authorized representative proves inaccurate.

LEGEND AND ABBREVIATIONS

EXISTING SYMBOL	DESCRIPTION	ABBREVIATIONS	DESCRIPTION
●	IRON REBAR FOUND	CB	CATCH BASIN
○	IRON REBAR SET	CL	CENTERLINE
⊙	MONUMENT FOUND	CMP	CORRUGATED METAL PIPE
⊖	POWER POLE	CP	CONCRETE PIPE
○	GATE POST	EL	ELEVATION
⊖	WATER VALVE	EXIST.	EXISTING
⊖	WATER METER	FL	FLOWLINE
⊖	TELO RISER	IE	INVERT ELEVATION
⊖	SEWER MANHOLE	LCPE	LINED CORRUGATED POLYETHYLENE PIPE
⊖	FIRE HYDRANT	PL	PROPERTY LINE
⊖	CATCH BASIN	PP	POWER POLE
⊖	GUY ANCHOR	PVC	POLYVINYL CHLORIDE PIPE
⊖	POWER VALVE	R/W	RIGHT-OF-WAY
⊖	LIGHT POLE	STA	STATION
⊖	FENCE LINE	SD	STORM DRAIN
⊖	SD	SS	SANITARY SEWER
⊖	SEWER LINE	SSMH	SANITARY SEWER MANHOLE
⊖		SWPE	SOLID WALL POLYETHYLENE PIPE
⊖		TYP	TYPICAL
⊖		TBR	TO BE REMOVED
PROPOSED STORM SYMBOLS	DESCRIPTION	PROPOSED WATER SYMBOLS	DESCRIPTION
⊖	SD CAP	⊖	WATER CAP
⊖	TYPE 1 CATCH BASIN, GRATED LID	⊖	CONCRETE BLOCKING
⊖	TYPE 1 CATCH BASIN, SOLID LID	⊖	BUTTERFLY VALVE
⊖	TYPE 2 CATCH BASIN, GRATED LID	⊖	11" BEND
⊖	TYPE 2 CATCH BASIN, SOLID LID	⊖	45° BEND
⊖	BEEHIVE MANHOLE COVER	⊖	90° BEND
⊖	SQUARE YARD DRAIN	⊖	22° BEND
⊖	ROUND YARD DRAIN	⊖	VALVE
⊖	STORM CLEAN OUT	⊖	HYDRANT ASSEMBLY
⊖	STORM PIPE	⊖	BLOW-OFF VALVE
⊖		⊖	REDUCER
⊖		⊖	AIR-VAC ASSEMBLY
⊖		⊖	WATER METER
⊖		⊖	WATER PIPE
PROPOSED SEWER SYMBOLS	DESCRIPTION	PROPOSED SURVEY SYMBOLS	DESCRIPTION
⊖	SEWER CAP	⊖	SURVEY MONUMENT IN PROPOSED ROAD
⊖	SEWER CLEANOUT		
⊖	SEWER MANHOLE		
⊖	SEWER PIPE		

LOT AREA

LOT NO.	BLDG NO.	LOT AREA (SF)
4	5	944,839
5	4	667,914
6	2	990,331
7	1	737,301
8	3	2,634,641
9	8	2,196,703
10	N/A	466,227
11	9	2,090,216
12	N/A	1,271,216

TRACT AREA

TRACT NO.	TRACT DESIGNATION	TRACT AREA (SF)
999	DETENTION	347,891
998	INGPA/CREEK	1,167,163

CONTACT LIST

DEVELOPER/OWNER:
NORTHPOINT DEVELOPMENT
4825 NW 41ST ST.
SUITE 500
RIVERSIDE, MO 64150
CONTACT: JOE HOPPER, PE
PHONE: (314) 691-0106
EMAIL: jhopper@ldccorp.com

CIVIL ENGINEER:
LDC, INC.
20210 142ND AVENUE NE
WOODINVILLE, WASHINGTON, 98072
CONTACT: JOE HOPPER, PE
PHONE: (425) 806-1869
FAX: (425) 482-2893
EMAIL: jhopper@ldccorp.com

SURVEYOR:
LDC, INC.
20210 142ND AVE NE
WOODINVILLE, WASHINGTON 98072
CONTACT: VINCE TOWNSEND, PLS
PHONE: (425) 806-1869
FAX: (425) 482-2893
EMAIL: vtownsend@ldccorp.com

CASCADE INDUSTRIAL CENTER

PRELIMINARY BINDING SITE PLAN

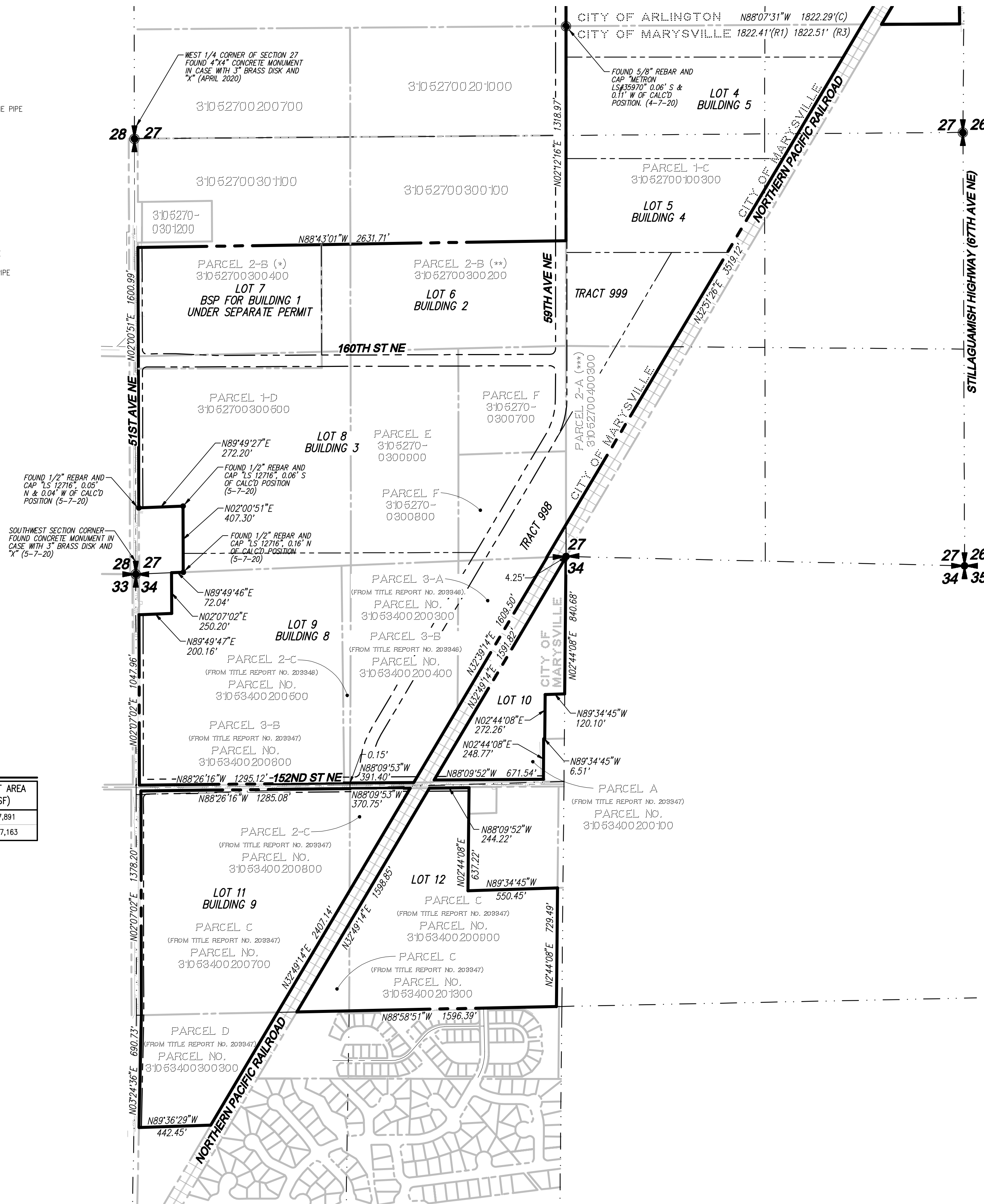
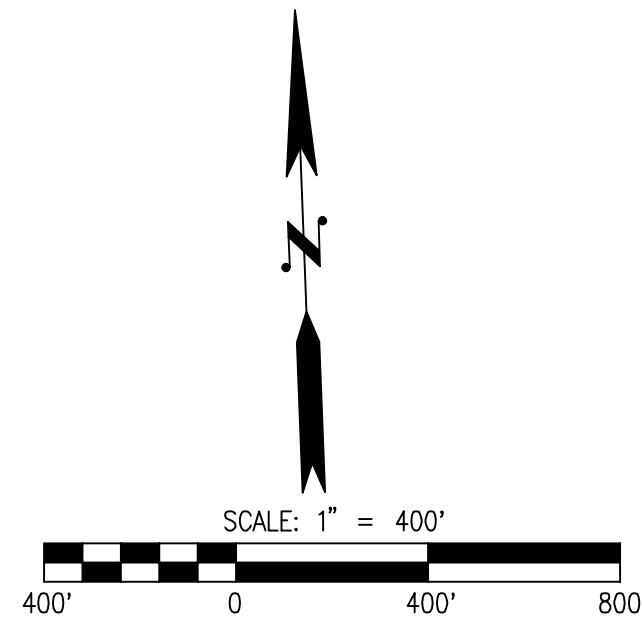


TABLE OF CONTENTS

1	COVER SHEET	37-51	PRELIMINARY COMBINED UTILITY AND GRADING
2-3	SURVEY INFORMATION	52-65	PRELIMINARY ROAD PROFILES
4	PRELIMINARY BINDING SITE PLAN SHEET INDEX	66-69	PRELIMINARY ROAD SECTIONS
5-6	PRELIMINARY BINDING SITE PLAN	AV-01	AVIATION PLAN
7-21	EXISTING CONDITIONS MAP	L-1 - L-14	PRELIMINARY LANDSCAPE PLANS
22-36	PRELIMINARY SITE PLAN	1-51	EDGEComb CREEK 100% CONSTRUCTION PLANS



SURVEY INFORMATION

HORIZONTAL DATUM:

NAD 83/91
WASHINGTON STATE COORDINATES-NORTH ZONE

BASIS OF BEARING

NAD83/91 FROM GPS OBSERVATION
MONUMENTED CENTERLINE OF THE NORTH LINE OF THE NORTHEAST
QUARTER OF SECTION 27 (BEARING = N 87°48'12" W)

REFERENCES

- | | |
|---|---|
| (R1) CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT (AUDITOR'S FILE NO. 200108315002) | (D3) DEED (AUDITOR'S FILE NO. 200201220940) |
| (R2) CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT (AUDITOR'S FILE NO. 200606055267) | (D4) DEED (AUDITOR'S FILE NO. 200404070084) |
| (R3) CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT (AUDITOR'S FILE NO. 200704125004) | (C) CALCULATED |
| (D1) DEED (AUDITOR'S FILE NO. 9708060291, 9704150450 AND 9705160053) | (M) MEASURED |
| (D2) DEED (AUDITOR'S FILE NO. 9008280286) | (R) RADIAL BEARING |
| | (SC) SPIRAL CHORD BEARING |

EQUIPMENT & PROCEDURES

METHOD OF SURVEY:
SURVEY PERFORMED BY FIELD TRAVERSE

INSTRUMENTATION:
LEICA MS-50 ROBOTIC TOTAL STATION WITH DATA COLLECTOR AND TOPCON GPS MAINTAINED IN ADJUSTMENT TO MANUFACTURES SPECIFICATIONS AS REQUIRED BY WAC 332-130-100

PRECISION:
MEETS OR EXCEEDS STATE STANDARDS WAC 332-130-090

SURVEY NOTES

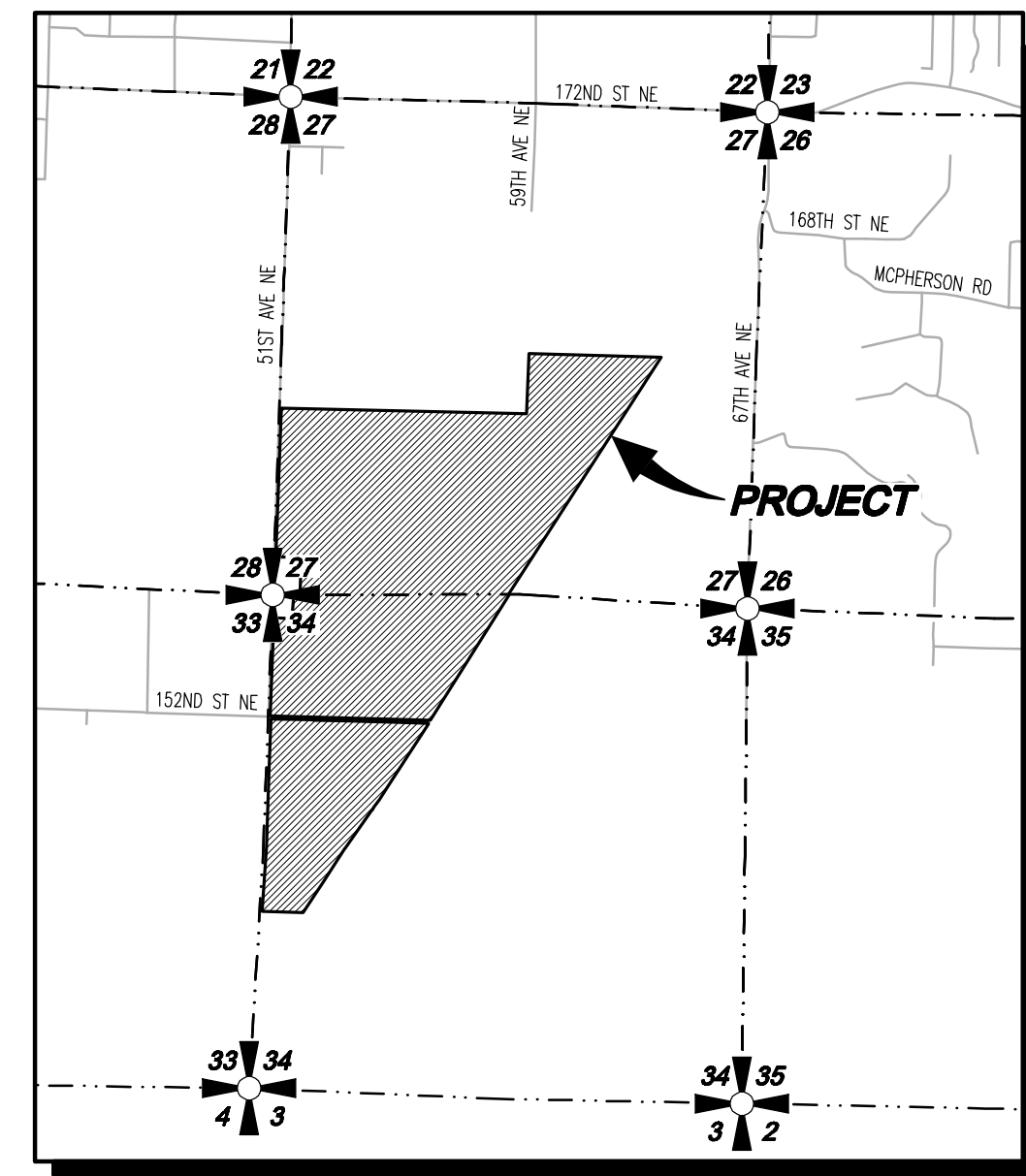
- THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF PARTIES WHOSE NAMES APPEAR HEREON ONLY, AND DOES NOT EXTEND TO ANY UNNAMED THIRD PARTIES WITHOUT EXPRESS RECERTIFICATION BY THE LAND SURVEYOR.
- BOUNDARY LINES SHOWN AND CORNERS SET REPRESENT DEED LOCATIONS. OWNERSHIP LINES MAY VARY. NO GUARANTEE OF OWNERSHIP IS EXPRESSED OR IMPLIED.
- THE CENTERLINE OF EXISTING RAILROAD TRACKS WERE HELD TO DETERMINE THE LOCATION OF THE RAILROAD RIGHT-OF-WAY ALONG THE EAST SIDE OF PARCELS A, C AND F.
- TO ESTABLISH THE EAST LINE OF PARCEL B WE HELD THE CENTERLINE OF THE ROAD AS IT IS CONSTRUCTED.

UTILITY NOTE

THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. AGENCIES INVOLVED SHALL BE NOTIFIED WITHIN A REASONABLE TIME PRIOR TO THE START OF CONSTRUCTION.

DISCLAIMER

THE TOPOGRAPHIC SURVEY WAS PERFORMED BY LDC, INC. IN MAY 2020. ANY CHANGES TO THE SITE AFTER THIS DATE WILL NOT BE REFLECTED IN THE PLANS. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.



VICINITY MAP

SCALE: 1"=2000'

SITE INFORMATION

OWNERS: STEINER FARMS, LLC

SITE ADDRESS: 16015 51ST AVE NE, MARYSVILLE, WASHINGTON

TAX PARCELS: 31052700100300, 31052700300400, 31052700300200, 31052700300500, 31052700300700, 31052700300800, 31052700400300 AND 31052700300900

GROSS SITE AREA: PARCEL 2-A: 357,234 SF (8.20 ACRES)
PARCEL 2-B: 1,745,041 SF (40.06 ACRES)
PARCEL 1-C: 2,437,458 SF (55.98 ACRES)
PARCEL 1-D: 1,638,790 SF (37.62 ACRES)
PARCEL E: 867,732 SF (19.92 ACRES)
PARCEL F: 848,958 SF (19.49 ACRES)

FLOOD ZONE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) INFORMATION: PROPERTY IS CONTAINED WITHIN FIRM (FLOOD INSURANCE RATE MAP) MAP NO. 53061C0395, WHICH IS A NON-PRINTED PANEL.

OWNERS: ARLINGTON TL ASSOCIATES, LLP

SITE ADDRESS: 16015 51ST AVE NE, MARYSVILLE, WASHINGTON

TAX PARCELS: 31053400200500, 31053400200400, 31053400200300

GROSS SITE AREA: PARCEL 3-A: 247,148 SF (5.67 ACRES)
PARCEL 3-B: 829,236 SF (19.04 ACRES)
PARCEL 2-C: 63,132 SF (1.45 ACRES)

FLOOD ZONE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) INFORMATION: PROPERTY IS CONTAINED WITHIN FIRM (FLOOD INSURANCE RATE MAP) MAP NO. 53061C0395, WHICH IS A NON-PRINTED PANEL.

OWNERS: BRUTUS ASSOCIATES, LLC

TAX PARCELS: 31053400200100, 31053400200600, 31053400200700, 31053400201300, 31053400200800, 31053400200900, 31053400300300

GROSS SITE AREA: PARCEL 4-A: 480,199 SF (11.02 ACRES)
PARCEL 3-B: 1,611,015 SF (37.00 ACRES)
PARCEL 3-C: 2,975,951 SF (68.32 ACRES)
PARCEL 2-D: 439,907 SF (10.10 ACRES)

FLOOD ZONE: FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) INFORMATION: PROPERTY IS CONTAINED WITHIN FIRM (FLOOD INSURANCE RATE MAP) MAP NO. 53061C0395, WHICH IS A NON-PRINTED PANEL.

Exhibit 41



Call 2 Business Days Before You Dig
811 or 1-800-424-5555
Utilities Underground Location Center

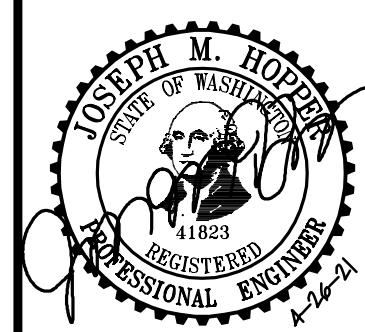
PA21006

NO.	DATE	DESCRIPTION
1	3-18-21	REVISED PER 3/9/2021 CITY OF MARYSVILLE TECHNICAL REVIEW #1 COMMENTS
2	4-26-21	REVISED PER 4/6/2021 CITY OF MARYSVILLE TR2 COMMENT LETTER

REVISIONS

LDC
Surveying
Engineering
Planning

NORTHPOINT
CASCADE COMMERCE CENTER



JOB NUMBER: C20133
DRAWING NAME: C20133BSPM-CS-FL
DESIGNER: JMH
DRAFTING BY: RCR
DATE: 1-22-21
SCALE: 1"=400'
JURISDICTION: CITY OF MARYSVILLE

CS-01

SHEET 1 OF 69

SEC 27, TWN 31 N, RGE 5 E, W.M., CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON

LEGAL DESCRIPTION

CHICAGO TITLE COMPANY OF WASHINGTON
COMMITMENT NO. 500119788
COMMITMENT DATE: APRIL 9, 2021 AT 8:00 AM

PARCEL A (310527-001-003-001)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., LYING WEST AND NORTH OF NORTHERN PACIFIC RAILROAD RIGHT-OF-WAY;

EXCEPT THAT PORTION LYING WITHIN THE MARYSVILLE AND NORTHERN RAILROAD RIGHT-OF-WAY.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL B (310527-001-004-000 AND 310527-003-002-000)

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.,

EXCEPT MARYSVILLE AND NORTHERN RAILROAD RIGHT-OF-WAY,

ALSO EXCEPT ROADS.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

PARCEL C (310527-001-003-000 AND 310527-004-001-000)

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER, SECTION 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 2022.4 FEET SOUTH OF IRON PIPE AT SOUTH QUARTER CORNER COMMON TO SECTIONS 22 AND 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.; THENCE NORTH 89°14' EAST 1827.8 FEET TO THE WESTERLY LINE OF THE NORTHERN PACIFIC RAILROAD RIGHT-OF-WAY, THENCE SOUTH 30°05' WEST 2308.7 FEET ALONG SAID RIGHT-OF-WAY TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER, SECTION 27; THENCE WEST 851.6 FEET TO A CEDAR POST; THENCE NORTH 0°32' WEST 1975.2 FEET TO POINT OF BEGINNING;

EXCEPT ROADS;

ALSO EXCEPT THAT PORTION LYING WITHIN THE MARYSVILLE AND NORTHERN RAILROAD RIGHT-OF-WAY.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

PARCEL D (310527-005-000-000)

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.;

EXCEPT THE SOUTH 407 FEET OF THE WEST 292 FEET THEREOF;

ALSO EXCEPT ROADS.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

PARCEL E (310527-001-009-000)

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M.;

EXCEPT THAT PORTION LYING WITHIN THE MARYSVILLE AND NORTHERN RAILROAD RIGHT-OF-WAY.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

PARCEL F (310527-001-008-000 AND 310527-003-007-000)

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M. LYING NORTHWESTERLY OF THE NORTHERN PACIFIC RAILROAD RIGHT-OF-WAY;

EXCEPT THAT PORTION LYING WITHIN THE MARYSVILLE AND NORTHERN RAILROAD RIGHT-OF-WAY.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

PARCEL G (310534-002-001-000)

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, LYING EASTERLY OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO THE NORTHERN PACIFIC RAILWAY COMPANY, A WISCONSIN CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NO. 190836 AND AS TAKEN BY DECREE OF APPROPRIATION UNDER WASHINGTON STATE SUPERIOR COURT CAUSE NUMBER 133733 AND RECORDED UNDER AUDITOR'S FILE NO. 193578, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE SOUTH 538 FEET OF THE EAST 120 FEET THEREOF;

AND EXCEPT THE SOUTH 30 FEET AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES, DEED RECORDED UNDER AUDITOR'S FILE NO. 761208023, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

(ALSO KNOWN AS LOTS 1, 2, 3 AND A PORTION OF LOT 4, OF SNOHOMISH COUNTY SHORT PLAT 5578 (110-76), RECORDED UNDER AUDITOR'S FILE NO. 761150162, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.)

AND EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTH 538 FEET OF THE EAST 120 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, THENCE NORTH 02°44'08" EAST ALONG THE WEST LINE OF SAID EAST 120.00 FEET, 17.18 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 02°44'08" EAST ALONG SAID WEST LINE 248.94 FEET TO THE NORTH LINE OF THE NORTH 263.90 FEET OF SAID NORTHEAST QUARTER; THENCE NORTH 89°14'45" WEST PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 6.51 FEET; THENCE SOUTH 02°44'08" WEST, 248.77 FEET TO THE NORTH RIGHT OF WAY OF 1520 STREET NORTHEAST; THENCE SOUTH 88°09'52" EAST ALONG SAID NORTH RIGHT OF WAY 6.50 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL H (310534-002-006-000)

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT A STRIP OF LAND ADJOINING THE EAST LINE THEREOF, BEING 58 FEET WIDE, MORE OR LESS, ON THE NORTH END AND 36 FEET WIDE, MORE OR LESS, ON THE SOUTH END AS CONVEYED TO MARY A. NORBERG BY DEED RECORDED UNDER AUDITOR'S FILE NO. 354394, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

EXCEPT THE WEST 220 FEET OF THE NORTH 250 FEET THEREOF;

AND EXCEPT THE WEST 20 FEET AND THE SOUTH 15 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER AUDITOR'S FILE NO. 308936, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

LEGAL DESCRIPTION (CONTINUED)

PARCEL I (310534-002-007-000, 310534-002-008-000, 310534-002-009-000 AND 310534-002-013-000)

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN;

EXCEPT THE NORTH 653 FEET OF THE EAST 583 FEET THEREOF;

AND EXCEPT THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO NORTHERN PACIFIC RAILWAY COMPANY, A WISCONSIN CORPORATION BY DEEDS RECORDED UNDER AUDITOR'S FILE NOS. 193479 AND 193480, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

AND EXCEPT THE NORTH 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES, DEED RECORDED UNDER AUDITOR'S FILE NO. 375465, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

AND EXCEPT THE WEST 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES, DEEDS RECORDED UNDER AUDITOR'S FILE NO. 308936 AND 375486, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL J (310534-003-003-000)

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, LYING WEST OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO THE NORTHERN PACIFIC RAILWAY COMPANY, A WISCONSIN CORPORATION BY DEEDS RECORDED UNDER AUDITOR'S FILE NO. 193479 AND 193480, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, AND LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, THAT IS 30 FEET EAST OF THE CENTERLINE OF THE EXISTING COUNTY ROAD, THENCE NORTH 05°05'04" EAST, PARALLEL TO AND 30 FEET DISTANT FROM SAID CENTERLINE A DISTANCE OF 605.50 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE; THENCE SOUTH 87°56'01" EAST TO THE WESTERLY MARGIN OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AND THE TERMINUS OF THE LINE;

AND EXCEPT THE WESTERLY 20 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES BY DEED RECORDED UNDER AUDITOR'S FILE NO. 375486, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL K (310534-002-003-000)

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, LYING WEST AND NORTH OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS CONVEYED TO NORTHERN PACIFIC RAILWAY COMPANY, A WISCONSIN CORPORATION BY DEED RECORDED UNDER RECORDING NUMBER 190836, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL L: THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, LYING WEST OF THE BURLINGTON NORTHERN RAILROAD RIGHT OF WAY AS TAKEN BY DECREE OF APPROPRIATION IN STATE OF WASHINGTON SUPERIOR COURT UNDER CAUSE NUMBER 13373 AND RECORDED UNDER AUDITOR'S FILE NO. 193578, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

LESS COUNTY ROAD.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL M:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 31 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN; THENCE WEST 58 FEET; THENCE SOUTHERLY TO A POINT 36 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE EAST 36 FEET; THENCE NORTH TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 15 FEET THEREOF AS CONVEYED TO SNOHOMISH COUNTY FOR ROAD PURPOSES, DEED RECORDED UNDER AUDITOR'S FILE NO. 308936, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

SCHEDULE B EXCEPTIONS

CHICAGO TITLE COMPANY OF WASHINGTON
COMMITMENT NO. 50099049
COMMITMENT DATE: MARCH 9, 2020 AT 8:00 AM

1. RIGHT OF WAY AND RIGHTS TO ENTER ADJOINING PARCELS AND TO CUT DOWN ALL TREES DANGEROUS TO THE OPERATION OF A RAIL ROAD AS CONTAINED IN THE FOLLOWING INSTRUMENTS:
RECORDING DATE: APRIL 8, 1905
RECORDING NO.: 97421, 97422, 97423, 97425
IN FAVOR OF: MARYSVILLE, STIMSON MILL AND NORTHERN RAILROAD LINES
AFFECTS: PARCELS 2-A, 2-B, 1-C, E AND F

(SURVEYOR NOTE: AS SHOWN ON SHEETS 3, 4 AND 5 OF 5)

2. RIGHT OF WAY GRANT AND THE TERMS AND CONDITIONS THEREOF:

GRANTED TO: NORTHERN PACIFIC RAILWAY
PURPOSE: OPERATION OF A RAILROAD
RECORDING DATE: JULY 10, 1913
RECORDING NO.: 190836
AFFECTS: PARCEL F

(SURVEYOR NOTE: NOT PLOTTED)

3. JUDGMENT AND DECREE OF APPROPRIATION AND THE TERMS AND CONDITIONS THEREOF:

GRANTED TO: NORTHERN PACIFIC RAILWAY
RECORDING DATE: OCTOBER 22, 1913
RECORDING NO.: VOLUME 152, PAGE 474
AFFECTS: PARCELS 2-A, 1-C AND F

(SURVEYOR NOTE: NOT PLOTTED)

4. JUDGMENT AND DECREE OF APPROPRIATION AND THE TERMS AND CONDITIONS THEREOF:

GRANTED TO: NORTHERN PACIFIC RAILWAY
RECORDING DATE: OCTOBER 14, 1913
RECORDING NO.: VOLUME 152, PAGE 430
AFFECTS: PARCELS 2-A, 1-C AND F

(SURVEYOR NOTE: NOT PLOTTED)

5. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: CITY OF MARYSVILLE
PURPOSE: SEWER PIPELINE AND DRAINAGE DITCH
RECORDING DATE: MAY 6, 1969
RECORDING NO.: 2091328
AFFECTS: PARCEL 1-D

(SURVEYOR NOTE: AS SHOWN ON SHEET 4 OF 5)

6. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: CITY OF MARYSVILLE
PURPOSE: SEWER PIPELINE AND DRAINAGE DITCH
RECORDING DATE: MAY 6, 1969
RECORDING NO.: 2091328
AFFECTS: A PORTION OF PARCEL 2-B

(SURVEYOR NOTE: AS SHOWN ON SHEET 4 OF 5)

7. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: VARIOUS ADJOINING OWNERS
PURPOSE: FORMATION OF DRAINAGE DISTRICT
RECORDING DATE: DECEMBER 1, 1916
RECORDING NO.: 226649
AFFECTS: PARCELS 2-B, 1-D AND OTHER PORTIONS OF SAID PREMISES

(SURVEYOR NOTE: NOT PLOTTED)

8. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY
PURPOSE: ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE
RECORDING DATE: JULY 17, 1975
RECORDING NO.: 2396388
AFFECTS: A PORTION OF PARCEL 2-B

(SURVEYOR NOTE: AS SHOWN ON SHEET 4 OF 5)

9. CITY OF MARYSVILLE LOCAL IMPROVEMENT DISTRICT NO. 71 AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

RECORDING DATE: JULY 27, 2010
RECORDING NO.: 201007270539
AFFECTS:

(SURVEYOR NOTE: NOT PLOTTED)

10. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:

GRANTED TO: PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY
PURPOSE: HIGH VOLTAGE ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE
RECORDING DATE: JULY 6, 2009
RECORDING NO.: 20080706815
AFFECTS: A PORTION OF 4-003

(SURVEYOR NOTE: PLOTTED ON SHEETS 3 AND 5 OF 5)

11. COVENANTS, CONDITIONS, RESTRICTIONS, REITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH ON SURVEY:

RECORDING NO.: 201812275001
AFFECTS: PARCEL 1-D

(SURVEYOR NOTE: NOT PLOTTED)

12. ANY GAP, OVERLAP OR GORE IN THE LEGAL DESCRIPTION DUE TO LEGAL REFERRING TO AN IMPERMANENT MONUMENT, SAID MONUMENT BEING A POST.

AFFECTS: PARCELS 2-A, 2-B AND 1-C

(SURVEYOR NOTE: NOT PLOTTED)

13. ANY GAP, OVERLAP OR GORE DUE TO THE LEGAL DESCRIPTION FAILING TO MONUMENT A 1/16 LINE BETWEEN ADJOINING PARCELS.

AFFECTS: PARCELS 2-A, 2-B AND 1-C

(SURVEYOR NOTE: NOT PLOTTED)

14. ANY POLICY OF TITLE INSURANCE ISSUED UNDER THIS APPLICATION WILL NOT INSURE A LEGAL RIGHT OF ACCESS TO AND FROM SAID LAND. INSURING PROVISION ALL ACCESS PROVISIONS WILL BE DELETED.

AFFECTS: PARCELS 2-A AND 1-C

(SURVEYOR NOTE: NOT PLOTTED)

15. ANY QUESTION AS TO THE DEEDED LOCATION OF 51ST AVE NE WHICH APPEARS TO AFFECT THE WESTERN PORTIONS OF PARCELS 2-B AND 1-D. WE ARE UNABLE TO LOCATE A CONVEYANCE TO THE COUNTY FOR SAID RIGHT-OF-WAY. FURTHER THE SNOHOMISH COUNTY TAX ROLLS DO NOT TAKE EXCEPTION FOR SAID ROAD.

(SURVEYOR NOTE: NOT PLOTTED)

SCHEDULE B EXCEPTIONS (CONTINUED)

16. ANY EASEMENTS NOT DISCLOSED BY THE PUBLIC RECORDS AS TO MATTERS AFFECTING TITLE TO REAL PROPERTY, WHETHER OR NOT SAID EASEMENTS ARE VISIBLE AND APPARENT.

(SURVEYOR NOTE: NOT PLOTTED)

17. THE LAND HAS BEEN CLASSIFIED AS FARM AND AG AND IS SUBJECT TO THE PROVISIONS OF RCW 84.34, WHICH INCLUDE THE REQUIREMENT OF A CONTINUATION OF RESTRICTED USE IN ORDER TO CONTINUE THE PRESENT ASSESSMENT RATE. A CHANGE IN USE CAN CAUSE AN INCREASED ASSESSMENT RATE FOR PRESENT AND PAST YEARS. NOTICE OF APPLICATION WAS RECORDED AS SET FORTH BELOW:

RECORDING DATE: MAY 21, 1975
RECORDING NO.: 2387143

ANY SALE OR TRANSFER OF ALL OR A PORTION OF SAID LAND REQUIRES EXECUTION OF A NOTICE OF COMPLIANCE FORM BY THE NEW OWNER AND SUBMISSION TO THE COUNTY ASSESSOR WITHIN 60 DAYS OF SUCH SALE.

NOTE: IF THE PROPOSED TRANSACTION INVOLVES A SALE OF THE LAND SO CLASSIFIED OR DESIGNATED, THERE WILL BE ADDITIONAL REQUIREMENTS REGARDING THE REAL ESTATE TAX AFFIDAVIT. PLEASE CONTACT SNOHOMISH COUNTY ASSESSOR'S RECORDS SECTION OR THE COMPANY FOR ADDITIONAL INFORMATION.

AFFECTS: PARCELS 2-A, 2-B, 1-C AND 1-D

(SURVEYOR NOTE: NOT PLOTTED)

18. THE LAND HAS BEEN CLASSIFIED AS FARM AND AG AND IS SUBJECT TO THE PROVISIONS OF RCW 84.34, WHICH INCLUDE THE REQUIREMENT OF A CONTINUATION OF RESTRICTED USE IN ORDER TO CONTINUE THE PRESENT ASSESSMENT RATE. A CHANGE IN USE CAN CAUSE AN INCREASED ASSESSMENT RATE FOR PRESENT AND PAST YEARS. NOTICE OF APPLICATION WAS RECORDED AS SET FORTH BELOW:

RECORDING DATE: MAY 3, 1978
RECORDING NO.: 7805030252

ANY SALE OR TRANSFER OF ALL OR A PORTION OF SAID LAND REQUIRES EXECUTION OF A NOTICE OF COMPLIANCE FORM BY THE NEW OWNER AND SUBMISSION TO THE COUNTY ASSESSOR WITHIN 60 DAYS OF SUCH SALE.

NOTE: IF THE PROPOSED TRANSACTION INVOLVES A SALE OF THE LAND SO CLASSIFIED OR DESIGNATED, THERE WILL BE ADDITIONAL REQUIREMENTS REGARDING THE REAL ESTATE TAX AFFIDAVIT. PLEASE CONTACT SNOHOMISH COUNTY ASSESSOR'S RECORDS SECTION OR THE COMPANY FOR ADDITIONAL INFORMATION.

AFFECTS: PARCELS E AND F

(SURVEYOR NOTE: NOT PLOTTED)

19. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2020
TAX ACCOUNT NO.: 310527-004-003-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$2,769,600.00
ASSESSED VALUE-IMPROVEMENTS: \$0.00

GENERAL AND SPECIAL TAXES: \$324.85
BILLED: \$0.00
PAID: \$324.85
UNPAID: \$0.00
AFFECTS: PARCELS 2-A AND 1-C

(SURVEYOR NOTE: NOT PLOTTED)

20. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2020
TAX ACCOUNT NO.: 310527-003-002-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$2,262,600.00
ASSESSED VALUE-IMPROVEMENTS: \$0.00

GENERAL AND SPECIAL TAXES: \$163.83
BILLED: \$0.00
PAID: \$0.00
UNPAID: \$163.83
AFFECTS: A PORTION OF PARCEL 2-B

(SURVEYOR NOTE: NOT PLOTTED)

21. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2020
TAX ACCOUNT NO.: 310527-003-004-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$2,393,000.00
ASSESSED VALUE-IMPROVEMENTS: \$73,000.00

GENERAL AND SPECIAL TAXES: \$545.29
BILLED: \$0.00
PAID: \$0.00
UNPAID: \$545.29
AFFECTS: A PORTION OF PARCEL 2-B

(SURVEYOR NOTE: NOT PLOTTED)

22. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2020
TAX ACCOUNT NO.: 310527-001-003-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$1,477,900.00
ASSESSED VALUE-IMPROVEMENTS: \$0.00

GENERAL AND SPECIAL TAXES: \$150.07
BILLED: \$0.00
PAID: \$0.00
UNPAID: \$150.07
AFFECTS: REMAINDER OF PARCEL 1-C

(SURVEYOR NOTE: NOT PLOTTED)

23. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2020
TAX ACCOUNT NUMBER: 310527-003-005-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$4,123,300.00
ASSESSED VALUE-IMPROVEMENTS: \$0.00

GENERAL AND SPECIAL TAXES: \$309.65
BILLED: \$0.00
PAID: \$0.00
UNPAID: \$309.65
AFFECTS: PARCEL 1-D

(SURVEYOR NOTE: NOT PLOTTED)

SCHEDULE B EXCEPTIONS (CONTINUED)

24. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

YEAR: 2020
TAX ACCOUNT NUMBER: 310527-003-007-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$1,102,000.00
ASSESSED VALUE-IMPROVEMENTS: \$0.00

GENERAL AND SPECIAL TAXES: \$82.05
BILLED: \$0.00
PAID: \$0.00
UNPAID: \$82.05
AFFECTS: A PORTION OF PARCEL E

(SURVEYOR NOTE: NOT PLOTTED)

25. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR (AMOUNTS DO NOT INCLUDE INTEREST AND PENALTIES):

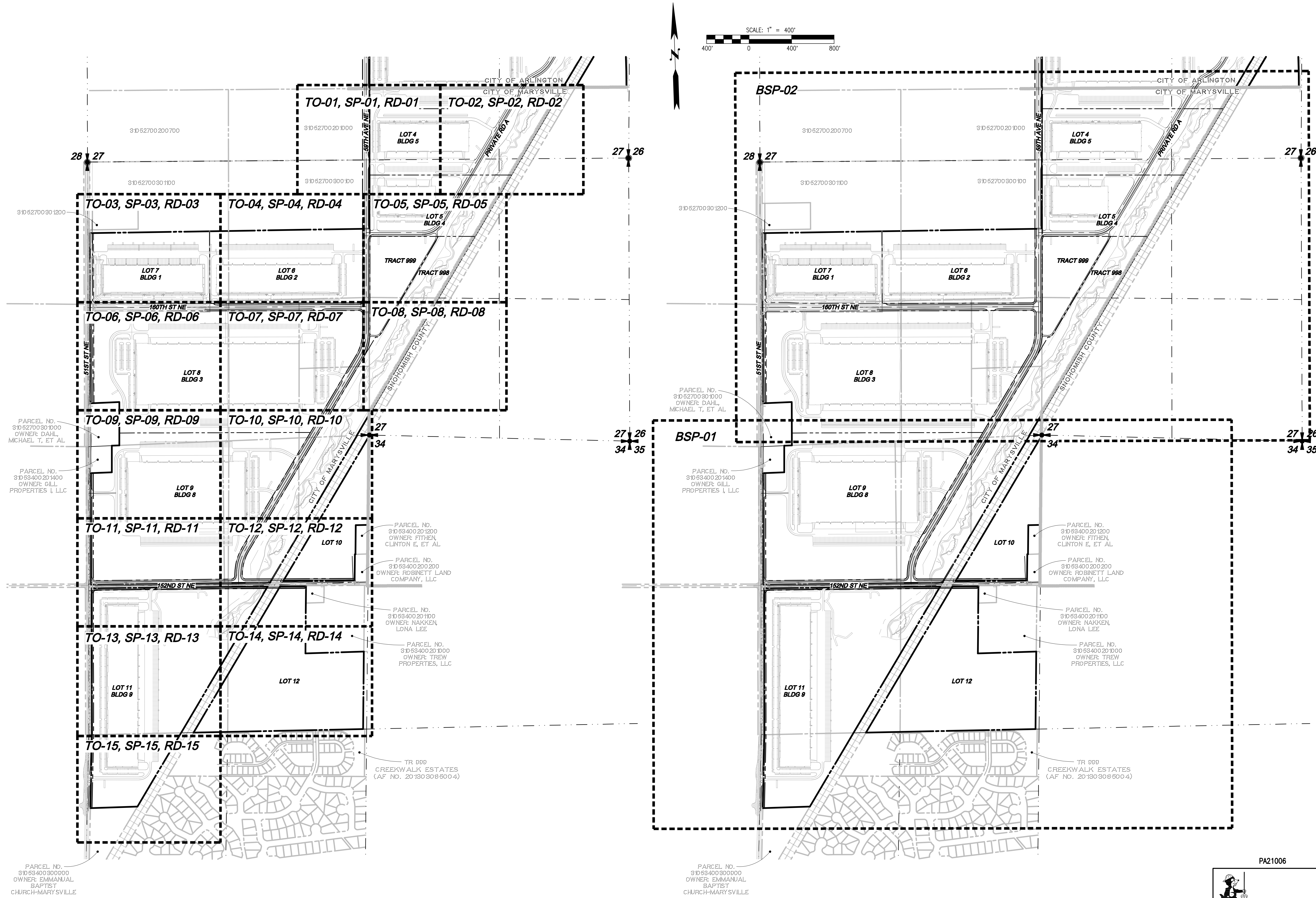
YEAR: 2020
TAX ACCOUNT NO.: 310527-003-009-00
LEVY CODE: 00508
ASSESSED VALUE-LAND: \$2,320,000.00
ASSESSED VALUE-IMPROVEMENTS: \$0.00

GENERAL AND SPECIAL TAXES: \$167.99
BILLED: \$0.00
PAID: \$0.00
UNPAID: \$167.99
AFFECTS: A PORTION OF PARCEL E

(SURVEYOR NOTE: NOT PLOTTED)

26. GENERAL AND SPECIAL TAXES AND CHARGES, PAYABLE FEBRUARY 15, DELINQUENT IF FIRST HALF UNPAID ON MAY 1, SECOND HALF DELINQUENT IF UNPAID ON NOVEMBER 1 OF THE TAX YEAR

SEC 27, TWN 31 N, RGE 5 E, W.M., CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON



SITE NOTE
SITE PLAN OF BUILDING, PARKING, AND PRIVATE ACCESS LOCATIONS ARE SHOWN FOR REFERENCE ONLY. THE SITE PLAN IS SUBJECT TO CHANGE AND WILL BE FINALIZED AT EACH RESPECTIVE LOTS FUTURE SITE PLAN SUBMITTALS.

UTILITY NOTE
THE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION. AGENCIES INVOLVED SHALL BE NOTIFIED WITHIN A REASONABLE TIME PRIOR TO THE START OF CONSTRUCTION.

DISCLAIMER
THE TOPOGRAPHIC SURVEY WAS PERFORMED BY LDC, INC. IN MAY 2020. ANY CHANGES TO THE SITE AFTER THIS DATE WILL NOT BE REFLECTED IN THE PLANS. ANY DISCREPANCIES FOUND BETWEEN WHAT IS SHOWN ON THE PLANS AND WHAT IS NOTED IN THE FIELD SHOULD BE BROUGHT IMMEDIATELY TO THE ATTENTION OF THE ENGINEER.

PA21006


Call 2 Business Days Before You Dig
811 or 1-800-424-5555
Utilities Underground Location Center

REVISIONS	
NO.	DATE
1	3-18-21
2	4-26-21

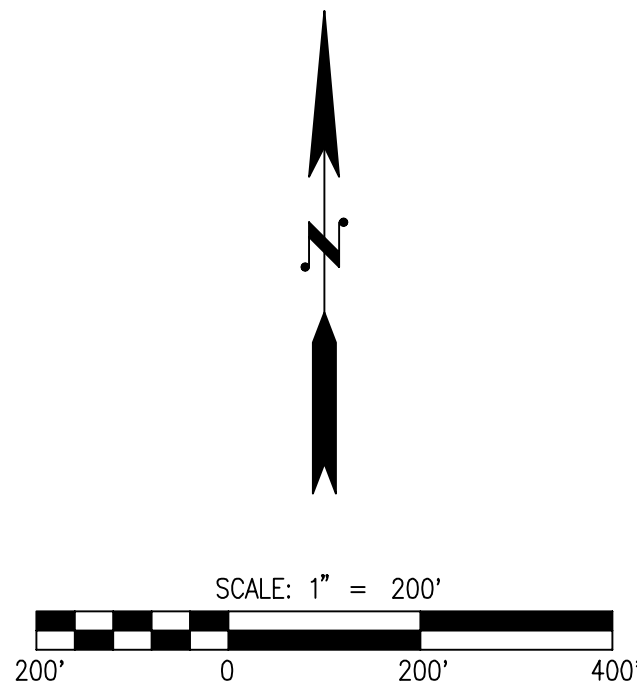
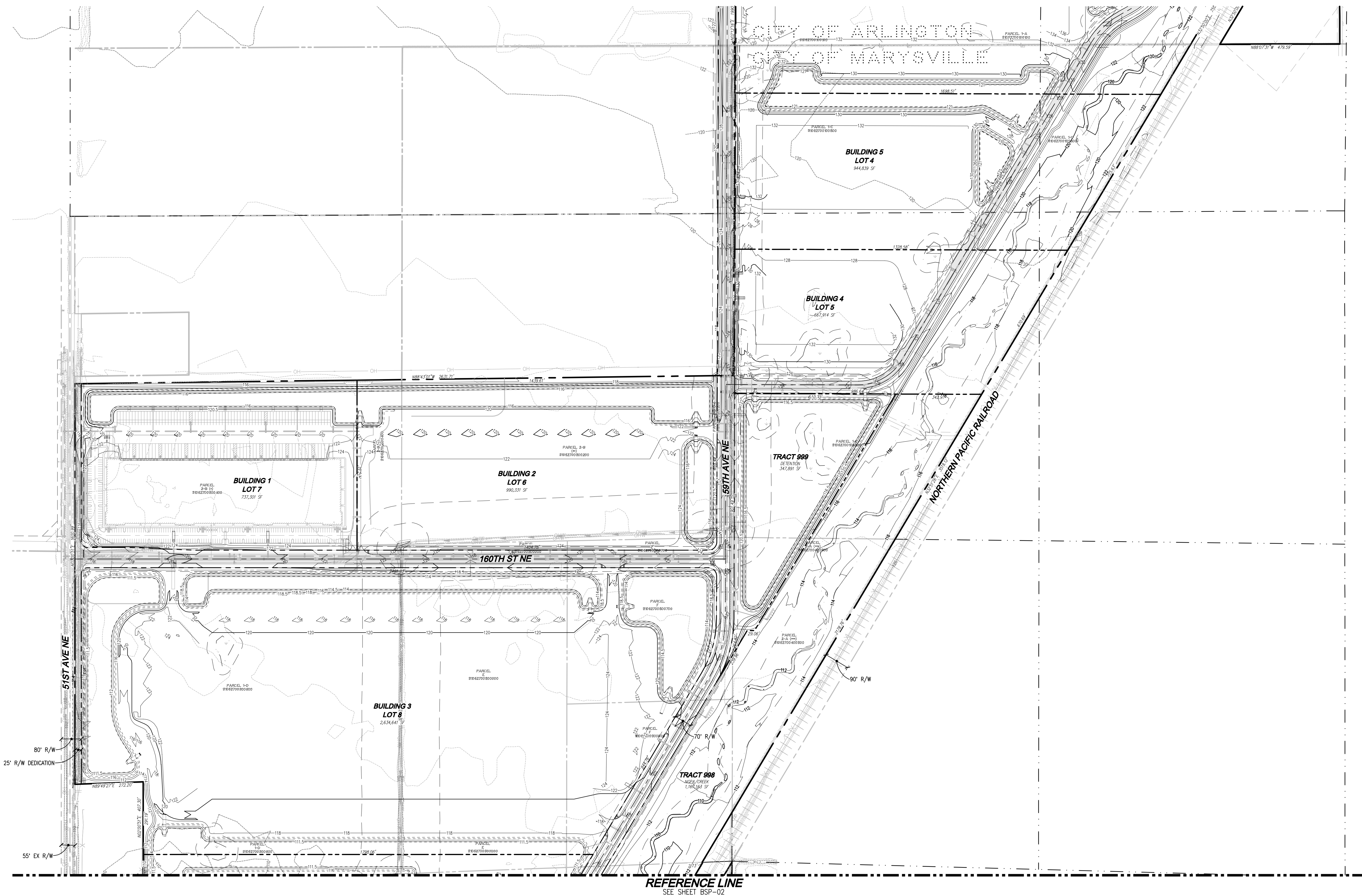
BY	DESCRIPTION
JMH	REVISED PER 3/9/2021 CITY OF MARYSVILLE TECHNICAL REVIEW #1 COMMENTS
JMH	REVISED PER 4/6/2021 CITY OF MARYSVILLE TR2 COMMENT LETTER

LDC | Surveying Engineering Planning
Kent
1851 Central Pt S, #101
Woodinville, WA 98072
T 425.866.1869 F 425.482.2893
www.LDCcorp.com

NORTHPOINT
CASCADE COMMERCE CENTER
PRELIMINARY BINDING SITE PLAN SHEET INDEX


JOB NUMBER: C20133
DRAWING NAME: C20133BSPM-01
DESIGNER: JMH
DRAFTING BY: RCR
DATE: 1-22-21
SCALE: 1"=400'
JURISDICTION: CITY OF MARYSVILLE

IDX-01
SHEET 4 OF 69



LEGEND

- STORM PIPE
- SEWER PIPE
- WATER PIPE
- TYPE II CB
- TYPE I CB
- SSMH
- FIRE HYDRANT
- RETAINING WALL
- WATER ESMT LINE

LOT AREA TABLE

LOT NO.	BLDG NO.	LOT AREA (SF)
4	5	944,839
5	4	667,914
6	2	990,331
7	1	737,301
8	3	2,634,641

SITE NOTE

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PA21006



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NO.	DATE	DESCRIPTION
1	3-18-21	REVISED PER 3/9/2021 CITY OF MARYSVILLE TECHNICAL REVIEW #1 COMMENTS
2	4-26-21	REVISED PER 4/6/2021 CITY OF MARYSVILLE TR2 COMMENT LETTER

LDC | Surveying
Engineering
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Kent
Woodville
20210 142nd Avenue NE
Woodville, WA 98072
T 425.866.1869
www.LDCorp.com

NORTHPOINT
CASCADE COMMERCE CENTER

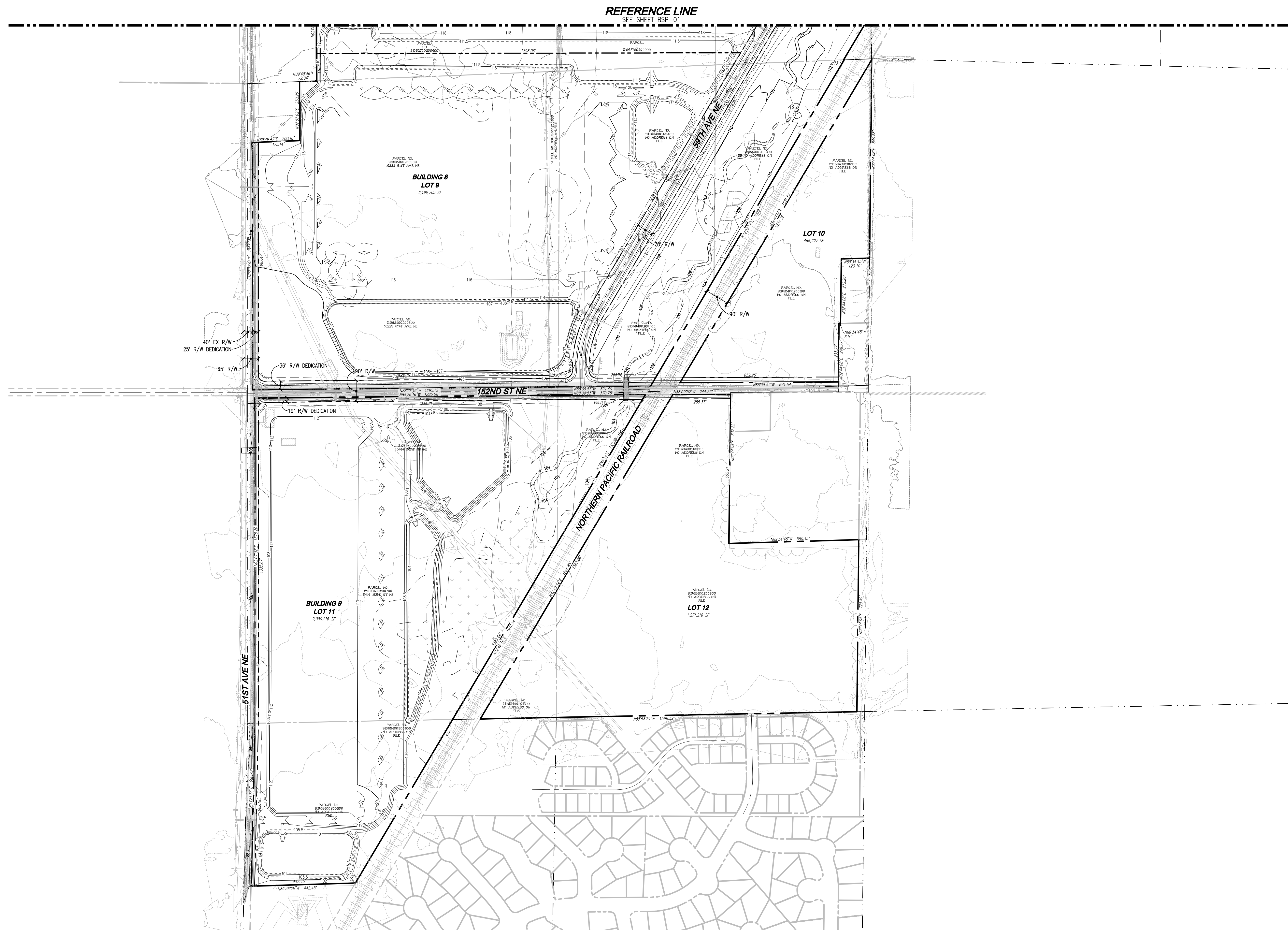
PRELIMINARY BINDING SITE PLAN



JOB NUMBER: C201333
DRAWING NAME: C201333BSP-PL
DESIGNER: JMH
DRAFTING BY: RCR
DATE: 1-22-21
SCALE: 1"=200'
JURISDICTION: CITY OF MARYSVILLE

BSP-01










SEC 27, TWN 31 N, RGE 5 E, W.M., CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON



SCALE: 1" = 200'

A horizontal graphic scale bar. It is divided into four equal segments. The first segment is black, the second is white, the third is black, and the fourth is white. Below the bar, the labels '200'', '0', '200'', and '400'' are positioned at the start, first division, second division, and end of the bar, respectively.

LEGEND

- | | |
|---|-----------------|
|  | STORM PIPE |
|  | SEWER PIPE |
|  | WATER PIPE |
|  | TYPE II CB |
|  | TYPE I CB |
|  | SSMH |
|  | FIRE HYDRANT |
|  | RETAINING WALL |
|  | WATER ESMT LINE |

LOT AREA TABLE

LOT NO.	BLDG NO.	LOT AREA (SF)
9	8	2,196,703
11	9	2,090,216

UTILITY NOTE

ALL WATER EASEMENTS TO BE 10' IN
WIDTH UNLESS OTHERWISE NOTED.

PA21006



Call 2 Business Days Before You Dig
811 or 1-800-424-5555
Utilities Underground Location Center

SITE NOTE

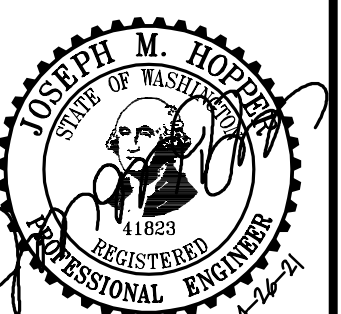
SITE NOTE
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UTILITY NOTE

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DISCLAIMER

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B NUMBER:	C20133
DRAWING NAME:	C20133BBSFW-BSP-PL
SIGNER:	JMH
DRAFTING BY:	RCR
DATE:	1-22-21
SCALE:	1"=200'
JURISDICTION:	CITY OF MARYSVILLE

BSP-02

SHEET 6 OF 69

Drawing: P:\Civil\2020\C20-133 Cascade Industrial Center\Drawings\Overall BSP\C20133BSP.MW-BSP-PL.dwg Plotted: Apr 26, 2021 - 2:57pm

MITIGATED DETERMINATION OF NON-SIGNIFICANCE AND TRAFFIC CONCURRENCY DETERMINATION

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION			
Project Title	Cascade Business Park BSP	File No.	PA21006
Detailed Project Description	<p>The applicant is proposing approval of a Binding Site Plan, subdividing approximately 311-acres into 11 lots and construction of 7 new industrial buildings, totaling approximately 2,915,303 SF. The applicant is also proposing to fill a number of regulated wetlands and relocate Edgecomb Creek along the west boundary of the existing BNSF Railway within Tract 998.</p> <p>It is anticipated that approximately 500,000 cubic yards (cy) of cut and 4,000,000 cy of fill will be required in order to accommodate the proposed stormwater runoff from proposed buildings, roads and parking lots. Stormwater is proposed to be collected and routed through pipe networks, detained for stormwater flow control and then routed through Washington State Department of Ecology approved water quality treatment systems. Discharge from the stormwater facilities would then be routed through dispersal trenches within approximately 100-feet of the relocated Edgecomb Creek and the perimeter of the creek buffer.</p> <p>This Mitigated Determination of Non-Significance includes consideration of a Development Agreement (DA), in accordance with RCW 36.70B.170 through 36.70B.210, between the applicant and the City of Marysville that will vest the development to the current land use standards, and will modify several of the design guidelines outlined in the Smokey Point Master Plan, as it pertains to the future development of the parcels within the Binding Site Plan. The DA must be approved by Marysville City Council.</p>		
Project Location	Generally located north of 146 th Street NE, east of 51 st Avenue NE, south of 16600 Block and west of BNSF Railway.	APN(s)	31052700100300, 31052700400300, 31052700300200, 31052700300500, 31052700300900, 31052700300800, 31052700300700, 31053400200600, 31053400200500, 31053400200400, 31053400300300, 31053400200100, 31053400200700, 31053400300300, 31053400200800, 31053400201300, 31053400200900.
Legal Description (abbreviated)	See File No. PA21006		
	OWNER	APPLICANT	CONTACT
Name	NP Arlington MIC Industrial, LLC	NP Arlington MIC Industrial, LLC	Jeffrey Nelson
Address	4825 NW 41 st Street, Suite 500	4825 NW 41 st Street, Suite 500	4825 NW 41 st Street, Suite 500
City, State, ZIP	Riverside, MO 64150	Riverside, MO 64150	Riverside, MO 64150
THRESHOLD DETERMINATION			
Lead Agency	<input checked="" type="checkbox"/> City of Marysville		
<p>The lead agency has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is NOT required under RCW 43.21C.030(2)(c). This decision was made after review by the City of Marysville of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.</p> <p><input checked="" type="checkbox"/> This MITIGATED DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by: April 22, 2021</p>			

SEPA CONTACT			
Name	Chris Holland	Title	Planning Manager
Phone	360.363.8207	E-mail	cholland@marysvillewa.gov
RESPONSIBLE OFFICIAL			
Name	Haylie Miller	Title	CD Director
Address	80 Columbia Avenue, WA 98270		

Haylie Miller

Haylie Miller, CD Director

4/8/2021

Date

ENVIRONMENTAL IMPACTS	
The proposed construction and subsequent use of the property could result in the following adverse environmental impacts:	
1.	Increase in the amount and rate of stormwater runoff and attendant pollutants from the introduction of paved and building roof surfaces.
2.	Increase in erosion, surface water pollutants, siltation and sedimentation as a result of site preparation and construction.
3.	Increase in demand for police, fire protection, parks and other public services generated as a result of the development.
4.	Increase in noise, dust, light and glare from construction activity and subsequent use of the site.
5.	Increase in vehicular traffic on 51 st Avenue NE, 152 nd Street NE and 172 nd Street NE (SR 531), as well as other City streets and arterials in the vicinity.
6.	Temporary and permanent critical areas impacts.
7.	Change in character of the site from farming into an urban industrial development.
MITIGATION MEASURES	
The following mitigation measures are required to minimize the probable significant adverse environmental impacts as a result of the proposed development activity:	
1.	<p>Prior to civil construction plan approval, the applicant shall be required to submit a FINAL Geotechnical Assessment, prepared by a Professional Engineer registered in the State of Washington. Additionally, the applicant/contractor shall be required to adhere to the recommendations of the FINAL Geotechnical Assessment.</p> <p>Prior to granting occupancy permits, the applicant shall provide a letter from the project engineer to verify that final project grading has been completed consistent with the approved grading plans; that all recommendations outlined in the geotechnical assessment and subsequent amendments have been followed; and that all fill has been properly placed.</p>
2.	Prior to issuing any ground disturbing activity permits, the applicant will be required to submit a cultural resources survey to DAHP for review, and follow any recommendation issued by DAHP, or affected Tribes.
3.	If at any time during construction archaeological resources are observed in the project area, work shall be temporarily suspended at that location and a professional archaeologist shall document and assess the discovery. The Department of Archaeology and Historic Preservation (DAHP) and all

	concerned tribes shall be contacted for any issues involving Native American sites. If project activities expose human remains, either in the form of burials or isolated bones or teeth, or other mortuary items, work in that area shall be stopped immediately. Local law enforcement, DAHP, and affected tribes shall be immediately contacted. No additional excavation shall be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended.
4.	Prior to issuing any ground disturbing activity permits, the applicant is required to obtain all necessary permits from Federal, Tribal and State agencies for the proposed creek relocation, permanent wetland fill, wetland creation and regulated buffer impacts.
5.	Prior to commencement of grading activity, the applicant shall provide certification that the fill material is clean and suitable for site development.
6.	Prior to commencement of grading activity, the applicant shall enter into a truck haul route agreement with the City of Marysville Public Works Department.
7.	Pursuant to MMC 22D.050.030(4)(b), grading shall be developed to promote continuity and to minimize abrupt grade changes between sites. Grading between all lots within the Cascade Business Park and adjoining properties shall be coordinated to ensure a level and seamless grade between all properties.
8.	The existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted prior to granting occupancy permits.
9.	The existing on-site well(s) shall be decommissioned in accordance with WAC 173-160-381. A copy of the well contractor's decommissioning report(s) shall be submitted prior to granting occupancy permits.
10.	The applicant shall be required to submit to the Federal Aviation Administration (FAA) a completed FAA Form 7460-1, <i>Notice of Proposed Construction or Alteration</i> , a minimum of 45-days prior to proposed construction.
11.	The applicant shall be required to submit an "Arlington Airport Protection District Disclosure Statement", with a legal description and map, to the Arlington Airport for review before recording with the Snohomish County Auditor. Prior to granting occupancy permits, a recorded conformed copy of the "Arlington Airport Protection District Disclosure Statement" shall be provided to the Arlington Airport and City of Marysville.
12.	The applicant shall be required to dedicate public right-of-way in order to accommodate the required frontage improvements along 51 st Avenue NE, 59 th Avenue NE, 152 nd Street NE and 160 th Street NE, in accordance with MMC 12.02A.110(1)(c), <i>Dedication of Road right-of-way – Required setbacks</i> . Right-of-way widths and required dedication shall be determined by the City Engineer. The dedication shall be required prior to granting occupancy permits.
13.	The applicant shall be required to construct frontage improvements along 51 st Avenue NE, 59 th Avenue NE, 152 nd Street NE and 160 th Street NE, prior to issuing occupancy permits. Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed and approved by the City Engineer prior to construction plan approval.
14.	The applicant shall be required to construct a traffic signal at the intersection of 152 nd Street NE and 59 th Avenue NE at the time frontage improvements are constructed for the full five-lane improvement; or the development generates 1,768 PM peak hour trips. Signalization shall account for the ultimate intersection design so that signal poles will not be required to be relocated in the future. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval.
15.	The applicant shall be required to construct a traffic signal at the intersection of 160 th Street NE and 51 st Avenue NE. The signal shall be constructed: <ul style="list-style-type: none"> a. At the time frontage improvements are constructed for the full four-legged intersection; or

	<p>b. Development occurs by others upon the west side of 51st Avenue NE, constructing the 4th leg of the intersection, but does not generate enough trips to require signalization, the applicant shall construct the signal with the next phase of the development; or</p> <p>c. 160th Street NE and 51st Avenue NE (east of 51st Avenue NE) are constructed with 51st Avenue NE including a southbound left turn lane and the development generates 1,325 PM peak hour trips.</p> <p>Signalization shall account for the ultimate intersection design so that signal poles will not be required to be relocated in the future. Signalization plans shall be reviewed and approved by the City Engineer, prior to construction plan approval.</p>
16.	The applicant shall be required to construct a traffic signal at the intersection of 152 nd Street NE and 51 st Avenue NE when any additional trips are generated by the development, as the intersection with background-only traffic in 2023, will not meet LOS standards without signalization. Signalization shall account for the ultimate intersection design so that signal poles will not be required to be relocated in the future. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval. This condition may be revisited by the City pending further review of alternative mitigation measures proposed by the applicant that adequately address LOS and concurrency impacts for this intersection.
17.	The applicant shall be required to construct a traffic signal at the intersection of 132 nd Street NE and 51 st Avenue NE, when the development generates 1,248 PM peak hour trips. Signalization shall account for the full ultimate intersection construction for all three approaches including curb, gutter, sidewalk, stormwater management, landscaping, bike lanes and street lighting. Signalization plans shall be reviewed and approved by the City Engineer prior to construction plan approval.
18.	All roadways at existing and proposed Burlington Northern spur line at-grade crossings shall be designed and constructed to be quiet-zone compliant.
19.	The applicant shall be required to construct a future bus shelter pad along northbound 51 st Avenue NE on the far side of both 146 th Street NE and 152 nd Street NE. The bus shelter pad shall be designed and located per the specifications provided by Community Transit.
20.	<p>In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of \$2,220 per PM Peak Hour Trip (PMPHT).</p> <p>Pursuant to MMC Chapter 22D.010, traffic impact fee credits are allowed for the construction of frontage improvements on 51st Avenue NE and 152nd Street NE, and the signalization of the intersections of 160th Street NE at 51st Avenue NE, 152nd Street NE at 51st Avenue NE, and 152nd Street NE at 59th Avenue NE. The amount of credit for these improvements shall be reviewed and approved by the City Engineer.</p>
21.	Pursuant to the Interlocal Agreement with Snohomish County, the applicant is obligated to pay traffic mitigation fees based on 20% of the Average Daily Trips (ADT) generated from the proposed project multiplied by the County mitigation fee of \$39.00 per new ADT. Prior to issuing building permits, the applicant will be required to submit a signed traffic mitigation offer and payment to Snohomish County, in the amount of \$119,082.60 (15,267 ADT x 20% x \$39.00).
APPEALS	
<p><input checked="" type="checkbox"/> This DNS may be appealed pursuant to the requirements of MMC 22E.030.180. There is a 14 day appeal period on the DNS that commences from the date the DNS was issued. Any appeal must be addressed to the responsible official, accompanied by a filing fee of \$500.00, and be filed in writing at the City of Marysville Community Development Department, 80 Columbia Avenue, Marysville, WA 98270. The appeal must be received by 4 p.m., April 22, 2021. The appeal must contain the items set forth in MMC 22G.010.530.</p> <p><input type="checkbox"/> There is no agency appeal.</p>	

DISTRIBUTION				
Marysville	Local Agencies & Districts	State & Federal	County	Other
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> PW – Engineering (Jeff Laycock) <input checked="" type="checkbox"/> PW – Engineering (Ken McIntyre) <input checked="" type="checkbox"/> PW – Engineering (Shane Whitney) <input checked="" type="checkbox"/> PW – Operations <input checked="" type="checkbox"/> PW – Sanitation <input type="checkbox"/> PW – Streets <input checked="" type="checkbox"/> PW – Traffic Eng. (Jesse Hannahs) <input checked="" type="checkbox"/> PW – Water Res.	<input checked="" type="checkbox"/> Arlington (city) <input checked="" type="checkbox"/> Arlington Airport <input checked="" type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input checked="" type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input checked="" type="checkbox"/> Ziply <input type="checkbox"/>	<input checked="" type="checkbox"/> US Army Corps of Engineers <input checked="" type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DOE (Bellevue) <input type="checkbox"/> DOE (SEPA Register) <input checked="" type="checkbox"/> WDFW <input checked="" type="checkbox"/> WSDOT <input checked="" type="checkbox"/> WUTC <input type="checkbox"/>	<input checked="" type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> Olympic Pipeline <input checked="" type="checkbox"/> Puget Sound Energy <input checked="" type="checkbox"/> Stillaguamish Tribe <input checked="" type="checkbox"/> Tulalip Tribes <input type="checkbox"/> <input type="checkbox"/>